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Presented on behalf of Plaintiffs, Mark
Munoz, Jahleele Stanley, Trevor Shivers,
Jose Cabrera, Samuel Cano, Victor Lopez,
Eriberto Guzman, and Class Members

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

**PEOPLE OF LOS ANGELES COUNTY
WHO ARE BEING AND WHO HAVE
BEEN PENALLY CONFINED IN PRE-
TRIAL DETENTION BECAUSE OF AND
DEPENDENT ON THEIR BAIL SET
ABOVE THEIR INABILITY TO PAY BAIL,
BY MARK MUNOZ, JAHLEELE
STANLEY, TREVOR SHIVERS, JOSE
CABRERA, SAMUEL CANO, VICTOR
LOPEZ, ERIBERTO GUZMAN, and CLASS
MEMBERS,**

Plaintiffs,

v.

**SUPERIOR COURT OF LOS ANGELES
COUNTY, its PRESIDING JUDGE, ERIC
TAYLOR, and TEN UNKNOWN, NAMED
DEFENDANTS, 1-10,**

Defendants.

COMPLAINT

(Declaratory and Injunctive
Relief, 42 U.S.C. § 1983)

**CLASS ACTION
ALLEGATIONS; REVERSE
CLASS ACTION
ALLEGATIONS**

JURY DEMAND

PEOPLE OF LOS ANGELES COUNTY
AND OF CALIFORNIA, WHO ARE BEING
AND WHO HAVE BEEN PENALLY
CONFINED IN PRE-TRIAL DETENTION
BECAUSE OF AND DEPENDENT ON
THEIR BAIL SET ABOVE THEIR
INABILITY TO PAY BAIL, BY MARK
MUNOZ, JAHLEELE STANLEY, TREVOR
SHIVERS, JOSE CABRERA, SAMUEL
CANO, VICTOR LOPEZ, ERIBERTO
GUZMAN, and CLASS MEMBERS,

Plaintiffs,

v.

SUPERIOR COURT OF LOS ANGELES
COUNTY, and its PRESIDING JUDGE,
ERIC TAYLOR, as defendant- class
representatives, for all California county
Superior Courts, except Los Angeles County
and San Francisco County, and including the
counties of: Alameda, Alpine, Amador, Butte:
Calaveras, Colusa, Contra Costa, Del Norte,
El Dorado, Fresno, Glenn, Humboldt,
Imperial, Inyo, Kern, Lake, Lassen, Madera,
Marin, Mariposa, Mendocino, Merced,
Modoc, Mono, Monterey, Napa, Nevada,
Orange, Placer, Plumas, Riverside,
Sacramento, San Benito, San Bernardino,
San Diego, San Joaquin, San Luis Obispo,
San Mateo, Santa Barbara, Santa Clara,
Santa Cruz, Shasta, Sierra, Siskiyou, Solano,
Sonoma, Stanislaus, Sutter, Tehama, Trinity,
Tulare, Tuolumne, Ventura, Yolo, and Yuba,

Defendant-Class Representatives.

1 conduct that is culpable with respect to plaintiffs, as set forth hereinbelow. All
2 defendants engaged in the same conduct by participating in, facilitating, and
3 making the decisions that resulted in the wrongs herein alleged.

4 4. Defendants each and all are sued only in their official capacities.

5 5. Plaintiffs and class members all are persons who have been subjected to
6 deliberate indifference to constitutional violations by defendants.

7 6. Defendants and each of them play and played some material role in the
8 acts and/or omissions alleged hereinbelow and in the setting of policies of the Los
9 Angeles Superior Courts.

10 **ALLEGATIONS COMMON TO EACH COUNT**

11 7. Each and every allegation set forth in each and every averment herein
12 is incorporated by this reference in each and every other averment and allegation
13 of this pleading.

14 8. All acts and/or omissions perpetrated and/or engaged in by each
15 defendant, in their individual capacities, were done maliciously, callously,
16 oppressively, wantonly, recklessly, with deliberate indifference to the rights
17 allegedly violated, despicably, with evil motive and/or intent, in disregard of the
18 rights of plaintiffs and class members, and in clear violation of the federal
19 Constitution and of controlling federal law, both statutory and common law, as set
20 forth by both the United States Supreme Court and the United States Court of
21 Appeals for the Ninth Circuit.

22 9. Plaintiffs are or were prisoners who were held on bail that they could not
23 afford to pay. Those plaintiffs sue for injunctive relief.

24 10. Defendants, setting bail for persons who unable to pay the amount of
25 bail set for their releases, engaged in and are engaging in clearly unconstitutional
26 conduct, with deliberate indifference, and arbitrarily deprived or are depriving
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1 plaintiffs of their constitutional rights to life, fundamental liberty, property, and to
2 be free from excessive fines and excessive bails.

3 **COUNT ONE**

4 (Against All Defendants, 42 U.S.C. § 1983)

5 11. Plaintiffs re-allege specifically the allegations set forth in averments 9
6 & 10, hereinabove, and, by virtue thereof, all defendants are liable to plaintiffs,
7 pursuant to 42 U.S.C. § 1983, for violation of decedent's and plaintiffs' Fourth,
8 Eighth, and Fourteenth Amendment rights, not to be subjected to be held in
9 pretrial custody on bail they cannot afford, with deliberate indifference by
10 defendants.

11 12. By virtue of the violations alleged, plaintiffs and class members are
12 entitled to declaratory and injunctive relief.

13 13.-18. Reserved.

14 **THE PLAINTIFFS'-CLASS ACTION ALLEGATIONS.**

15 19. Plaintiffs are members of a class of persons have been harmed and are
16 and/or were being harmed by their placement in custody and retention in custody
17 because they are unable to pay bail.

18 20. The class is so numerous that joinder of all members is impracticable,
19 and also, because only defendants know the names of all the members of classes,
20 and are the only persons who have information sufficient to identify all of the
21 members of classes, it is impracticable to join the members of those classes in
22 these actions.

23 21. There are common questions of fact and of law with respect to each
24 class member, to wit: are they being held or were they being held
25 unconstitutionally, because of the bail set forth them and their inability to pay that
26 bail.
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1 22. The claims made by the representative parties plaintiff are typical of the
2 claims of each plaintiff-class members' claims.

3 23. The representatives of the plaintiff class fairly will represent and
4 adequately protect the interests of all class members, and will do so both
5 vigorously and zealously.

6 24. Prosecution of separate actions by individual plaintiff-class members
7 would create a risk of inconsistent or varying adjudications with respect to class
8 members, which would establish incompatible standards for parties opposing the
9 classes, and defendants have acted and refused to act on grounds generally
10 applicable to each class, and class questions predominate with respect to each
11 class.

12 25. Therefore, these actions are maintainable under Fed. R. Civ. P. Rule 23
13 (b)(1) and (2).

14 26. It is impracticable precisely to measure the size of the plaintiff-class,
15 but it numbers in the several thousands.

16 27. The nature of the notice to be provided to class members is that, as an
17 injunctive relief class, no notice is required.

18 **THE DEFENDANT-CLASS ACTION ALLEGATIONS**

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20 28. Plaintiffs are members of a class of persons who have been harmed and
21 are being harmed by their placement in custody and retention in custody because
22 they are unable to pay unconstitutional bail.

23 29. Both the plaintiff-class is so numerous and the defendant-class is so
24 numerous, the defendant-class numbers 56 members, that joinder of all defendant
25 members is impracticable, it is impracticable to join the members of those classes
26 in these actions.

27 30. There are common questions of fact and of law with respect to the
28 defendant-class, to wit, its members held and are holding unconstitutionally pre-

1 trial prisoners because of those prisoners' inability to pay bail, and defendants
2 have only common defenses and only typical defenses.

3 31. The claims made against the representative party, defendant-class
4 representative defendants Los Angeles County Superior and its presiding judge,
5 Eric Taylor, are typical of the claims of each member of the defendant-class.

6 32. The representatives of the defendant-class fairly will represent and
7 adequately protect the interests of all defendant-class members, and will do so
8 both vigorously and zealously.

9 33. Prosecution of separate actions against individual defendant-class
10 members would create a risk of inconsistent or varying adjudications with respect
11 to defendant-class members, which would establish incompatible standards for
12 parties in and opposing the class, and defendant-class have acted and refused to
13 act on grounds generally applicable to each defendant-class member, and
14 defendant-class questions predominate with respect to each defendant-class
15 member and to the defendant-class.

16 34. Therefore, the defendant-class action is maintainable under Fed. R. Civ.
17 P. Rule 23 (b)(1) and (2).

18 35. The size of the defendant class is 56 members (all California county
19 superior courts, except Los Angeles County and San Francisco County.)

20 36. The nature of the notice to be provided to class members is that, as an
21 injunctive relief class, no notice is required.

22 **WHEREFORE**, plaintiffs and class members request relief against each
23 defendant and each defendant-class member, as follows:

24 1. Declaratory relief, that the setting of monetary bail during pretrial
25 detention of persons who cannot afford to pay bail is unconstitutional;
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